

February 21, 2007

**MINUTES OF A REGULAR MEETING OF
THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:03 p.m. on Wednesday, February 21, 2007, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Browning.

3. ROLL CALL

Present: Commissioners Browning, Gibson, Horwich, Uchima, Weideman and Vice Chair Busch.

Absent: Chairperson Faulk (excused).

Also Present: Planning Manager Lodan, Sr. Planning Associate Santana, Planning Associate Martinez, Fire Marshal Kazandjian, Plans Examiner Noh, Deputy City Attorney Whitham, and Associate Civil Engineer Symons.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported on the posting of the agenda.

5. APPROVAL OF MINUTES

None.

6. REQUESTS FOR POSTPONEMENT

Planning Manager Lodan relayed requests to continue Agenda Item 8B (PRE06-00033: Ghassan Elmel) and Item 10C (PRE06-00036: Miles Pritzkat) to March 7, 2007.

MOTION: Commissioner Browning moved to continue Agenda Items 8B and 10C to March 7, 2007. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Chairperson Faulk).

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Vice Chair Busch reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council. Noting that at the last meeting, the Commission approved an "Oral Communications" period at the beginning of the meeting for those who wish to speak on topics not on the agenda, he asked if anyone wished to be heard, and no one from the public came forward.

7. TIME EXTENSIONS - None.

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8. CONTINUED HEARINGS

8A. PCR06-00006, WAV06-00017: BOLINAS (OLIVEIRA DESIGN)

Planning Commission consideration for approval of a Planning Commission Review to allow the construction of a second-dwelling unit over a detached garage resulting in a floor area ratio above .0.5 and a Waiver to allow a reduction of the side yard setback requirement for the detached garage unit on property located in the Small Lot, Low-Medium Overlay District in the R-1 Zone at 1808 Gramercy Avenue.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material available at the meeting consisting of revised Code requirements, a revised condition and correspondence received subsequent to the completion of the agenda item.

Christine Bolinas, 1808 Gramercy Avenue, applicant, voiced objections to the condition requiring the removal of the existing curb cut. She explained that the curb cut was originally approved by the City in 2000, but could not be constructed at that time because the driveway did not extend back to the garage; that after her home was remodeled, the driveway was extended and a permit for the curb cut was issued in December 2006; and that the curb cut was subsequently installed. She submitted copies of paperwork confirming the approval and stated that the plans for the remodeling project have always included a driveway along the side of the house.

James Bolinas, 1808 Gramercy Avenue, reported that a fireplace had to be eliminated from the plans when his home was remodeled in order to provide a legal-size driveway and noted that the driveway would be used to park his recreation vehicle.

Responding to questions from the Commission, Mr. and Mrs. Bolinas explained that the curb cut permit was approved on 12-19-06; that the forming was inspected by the City on 12-21-06 and the concrete was poured later that day; and that they recently learned that the approval was rescinded on 12-21-06, but they were never notified.

Planning Manager Lodan advised that the application for the curb cut was submitted to the Engineering Division and approved in error because curb cuts in this area require Planning Commission approval, therefore, the permit was rescinded pending the Commission's decision.

Commissioner Gibson questioned what the City has done in the past when approvals have been rescinded, noting that the applicants have incurred considerable expense in constructing a curb cut they believed was approved.

Planning Manager Lodan stated that he could not recall another case where approval was rescinded after construction was completed.

Raymie McCoy, 1918 W. 220th Street, voiced objections to the curb cut, explaining that Gramercy is one of the original streets in Torrance and it was designed to take access from the alley. He stated that the applicants have a history of bending the rules because they were directed to use wood siding when they remodeled their home, but used half stucco/half wood siding, claiming hardship.

Debra Langsdale, 1804 Gramercy Avenue, expressed concerns that the decreased side yard setback adjacent to her property would create a fire hazard and voiced objections to the curb cut due to the loss of street parking.

Mrs. Bolinas maintained that the curb cut would actually improve the parking situation because there would be room to park all of her family's vehicles on-site.

Commissioner Weideman asked if the applicant would consider reducing the floor area ratio (FAR) to 0.50 in compliance with the standard for the Small Lot, Low-Medium Overlay District and increasing the northerly side yard setback to eliminate the need for a Waiver.

Mr. Bolinas expressed his willingness to eliminate some of the square footage on the second story.

Commissioner Horwich related his understanding that parking requirements could not be met without the Waiver for the reduced side yard setback.

Planning Manager Lodan advised that the parking requirements could be met without the Waiver if the applicant is allowed to retain the driveway.

Commissioner Gibson stated that she did not believe she could make an intelligent decision on this matter without additional information, including the history of the project and the City's position on compensating residents for expenses incurred when an approval is rescinded after construction has been completed.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Chairperson Faulk).

Commissioner Uchima questioned whether the City was legally bound to allow the curb cut because a permit was issued.

Deputy City Attorney Whitham indicated that she was not familiar with all the circumstances involved in this case therefore she could not provide a legal opinion at this time.

A brief discussion ensued, and it was the consensus of the Commission to continue this item indefinitely.

MOTION: Commissioner Gibson moved to continue this item indefinitely. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Chairperson Faulk).

For the benefit of the applicant, Commissioner Weideman noted that he was not inclined to support the Waiver or the FAR in excess of .50.

Commissioner Horwich indicated that he also was not in favor of the project as proposed.

8B. PRE06-00033: GHASSAN ELMEL (BIZHAN KHALEELI)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 5312 Doris Way.

Continued to March 7, 2007.

9. WAIVERS

9A. WAV06-00023: SONIA RODRIGUES (RUSSELL WILLIAMS)

Planning Commission consideration for approval of a Waiver to allow a reduction of the side yard setback requirements in conjunction with a one-story addition to an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 628 Calle Miramar.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request.

Russell Williams, 628 Calle Miramar, applicant, reported that he has shared the plans for the addition with the neighbors on either side of his property and to the rear and they all support the project.

Sonia Rodrigues, project designer, referring to Condition No. 3, which requires that the flat roof be replaced with a hipped or gabled roof to eliminate the potential for a roof deck, explained that she designed this area with a flat roof because continuing the existing roofline would create too many peaks and valleys and odd angles and because a sloping roof would block the windows of the upstairs den. She expressed her willingness to work with staff on this issue, but maintained that the flat roof was the best solution because it goes well with the style of the house and doesn't create any drainage problems.

Planning Manager Lodan advised that staff was concerned that the flat roof could function as a roof deck because it is surrounded by a 36-inch high parapet that acts as a railing and there is access through a door. He clarified that while staff is not necessarily opposed to a roof deck at this location, it would require a Precise Plan of Development.

Ms. Rodrigues suggested the possibility of changing the door leading to the roof to a window. She noted that there is no view from this area of the roof and the applicant has a large backyard so there is no need for a roof deck.

Mr. Williams offered his assurance that he had no intention of using the flat roof as a deck and agreed to eliminate the door leading to it.

Planning Manager Lodan indicated that the flat roof would be acceptable to staff with the elimination of the door.

MOTION: Commissioner Browning moved for the approval of WAV06-00023, as conditioned, including all findings of fact set forth by staff, with the following modification: That the flat roof with the parapet shall be allowed; that it shall not be used as a roof deck; and that the door leading to it shall be eliminated. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Chairperson Faulk).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 07-021.

MOTION: Commissioner Browning moved for the adoption of Planning Commission Resolution No. 07-021 as amended. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Faulk).

9B. WAV06-00027: ROBERT GARSTEIN (TOM KOWACH)

Planning Commission consideration for approval of a Waiver to allow a reduction of the front and side yard setback requirements in conjunction with a two-story addition to an existing one-story, single-family residence on property located in the R-1 Zone at 16909 Ardath Avenue.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request.

Tom Kowach, 16909 Ardath Avenue, applicant, voiced his agreement with the recommended conditions of approval.

MOTION: Commissioner Uchima moved for the approval of WAV06-00027, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Chairperson Faulk).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 07-022.

MOTION: Commissioner Browning moved for the adoption of Planning Commission Resolution No. 07-022. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Faulk).

The Commission recessed from 8:00 p.m. to 8:10 p.m.

10. FORMAL HEARINGS

10A. CUP06-00025, DIV06-00023: SCOTT TAN

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of two detached condominium units in conjunction with a Division of Lot for condominium purposes on property located in the R-2 Zone at 1748 and 1750 Flower Avenue.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request.

Scott Tan, applicant, voiced his agreement with the recommended conditions of approval.

Commissioner Browning questioned the need for Condition No. 4, which requires that the CC&Rs include a provision for a tie breaker in the event the owners of the two condominiums disagree, noting that the City does not enforce CC&Rs.

Deputy City Attorney Whitham advised that this condition was added as a precaution after the City was named in a legal action involving a condominium project with an even number of units where the owners could not resolve a dispute and while she did not believe the condition was necessary, there was no harm in including it.

Commissioner Browning stated that it had been brought to his attention that residents were complaining about the hours during which construction may take place.

Deputy City Attorney Whitham advised that the hours of construction, 7:00 a.m. to 8:00 p.m., seven days a week, are set in the Torrance Municipal Code, however, the Commission does have the authority to limit the hours of construction to address a specific concern on a case-by-case basis.

Commissioner Horwich noted that the Commission has restricted the hours of construction on many occasions, but there is a trade-off because shorter work hours mean a project will take longer to complete.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Faulk).

Commissioner Browning stated that he saw no reason to limit the hours of construction in this particular case, but wanted to relay residents concerns about this issue.

MOTION: Commissioner Uchima moved for the approval of CUP06-00025 and DIV06-00023, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Faulk).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 07-023 and 07-024.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 07-023 and 07-024. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Chairperson Faulk).

10B. PRE06-00028, WAV06-00019: GREG SCHNEIDER (VINCE LONG)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing one-story, single-family residence in conjunction with a Waiver to allow less than the required side yard setback on property located in the Hillside Overlay District in the R-1 Zone at 5420 Carol Drive.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material available at the meeting consisting of correspondence received subsequent to the completion of the agenda item.

Greg Schneider, project architect, voiced his agreement with the recommended conditions of approval. Referring to the supplemental material in which a neighbor expresses concerns about the Waiver, he explained that the Waiver of setback requirements is necessary due to the angle of the lot.

Commissioner Browning questioned whether the pool house has a one-hour fire wall.

Mr. Schneider explained that the pool house was built some time ago without benefit of permit, however, a permit will be obtained in conjunction with this project and a fire wall will be installed as required if there isn't one already.

MOTION: Commissioner Uchima moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Faulk).

Commissioner Browning voiced support for the project, noting that he visited the site and spoke with neighbors.

Vice Chair Busch also voiced support for the project, noting that the FAR of .35 is well within guidelines for the Hillside Overlay area.

MOTION: Commissioner Browning moved for the approval of PRE06-00028 and WAV06-00019, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Chairperson Faulk).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 07-025 and 07-026.

MOTION: Commissioner Browning moved for the adoption of Planning Commission Resolution Nos. 07-025 and 07-026. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Fauk).

10C. PRE06-00036: MILES PRITZKAT (MICHAEL ORIGEL)

Planning Commission consideration for approval of a previously approved Precise Plan of Development (PRE02-00027) for a new two-story, single-family residence on property in the R-1 Zone at 260 Calle de Madrid.

Continued to March 7, 2007.

11. RESOLUTIONS – None.

12. PUBLIC WORKSHOP ITEMS – None.

13. MISCELLANEOUS ITEMS – None.

14. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS – None.

15. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Lodan reviewed the agenda for the Planning Commission meeting of March 7, 2007.

16. ORAL COMMUNICATIONS

16A. Referring to a letter mailed directly to commissioners, Commissioner Horwich requested that staff inform the senders that it was not appropriate for commissioners to visit their home when the project in question has not yet been scheduled for a hearing.

16B. Commissioner Browning requested that staff schedule an information item on the American with Disabilities Act when there is a meeting with a light agenda, indicating that he was mainly interested in handicapped accessibility issues.

16C. Commissioner Browning reported that residents have raised concerns about the possibility that a project approved by the Planning Commission could be modified during the plan check process without the Planning Commission's approval and suggested that this be a topic of discussion at a future meeting.

Deputy City Attorney Whitham explained that there is a procedure in place whereby the Community Development Director has the discretion to approve minor modifications, but substantial changes or modifications to something that the Commission had focused on, i.e. an increase in a project's FAR, would be brought back to the Planning Commission for approval.

16D. Commissioner Browning expressed an interest in learning more about the condition of the City's infrastructure to ensure that any projects he votes to approve will not overtax the existing sewer/water/storm drain systems, and Associate Civil Engineer Symons offered to meet with him to discuss this issue.

16E. Vice Chair Busch thanked staff for updating commissioners' term of office on the City's web page.

16F. Vice Chair Busch asked that an "Oral Communications #1" be inserted in the agenda after "Requests for Postponements" and before "Time Extensions."

16G. Vice Chair Busch asked about the timeline for the General Plan Update.

Planning Manager Lodan reported that the Commission would likely be reviewing draft elements by late summer/early fall after which it would take another 12-18 months for the process to be completed. He noted that the City has also begun the process of updating the 1999 Strategic Plan.

16H. Commissioner Weideman noted that he had read the minutes from the previous meetings on the General Plan Update and looked forward to reviewing the draft elements. He stressed the importance of melding the vision of the updated General Plan with that of the updated Strategic Plan.

17. ADJOURNMENT

At 8:55 p.m., the meeting was adjourned to Wednesday, March 7, 2007, at 7:00 p.m.

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| Approved as Submitted March 21, 2007 s/ Sue Herbers, City Clerk |
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